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PROVISIONAL VERBATIM RECORD OF THE 58th MEETING

Held at Headquarters, New York,
on Monday, 2 December 1991, at 10 a.m.

President:	Mr. SHIHABI	(Saudi Arabia)
later:	Mr. NYAKYI (Vice-President)	(United Republic of Tanzania)

- Policies of apartheid of the Government of South Africa [37]

  (a) Report of the Special Committee against Apartheid

  (b) Report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa

  (c) Reports of the Secretary-General

  (d) Report of the Special Political Committee

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- United Nations Educational and Training Programme for Southern Africa [102]

  (a) Report of the Secretary-General

  (b) Draft resolution

- Programme of work

The meeting was called to order at 10.20 a.m.

AGENDA ITEMS 37 AND 102

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

(a) REPORT OF THE SPECIAL COMMITTEE AGAINST APARTHEID (A/46/22)

(b) REPORT OF THE INTERGOVERNMENTAL GROUP TO MONITOR THE SUPPLY AND SHIPPING OF OIL AND PETROLEUM PRODUCTS TO SOUTH AFRICA (A/46/44)

(c) REPORTS OF THE SECRETARY-GENERAL (A/46/499, A/46/507, A/46/648)

(d) REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/46/643)

UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA

(a) REPORT OF THE SECRETARY-GENERAL (A/46/561)

(b) DRAFT RESOLUTION (A/46/L.25)

The PRESIDENT (interpretation from Arabic): I should first like to draw the attention of the General Assembly to the report of the Special Political Committee, document A/46/643. May I take it that the General Assembly takes note of that report?

It was so decided.

The PRESIDENT (interpretation from Arabic): Further, I should like to propose that the list of speakers in the debate on agenda items 37 and 102 be closed tomorrow at 12 noon.

It was so decided.

The PRESIDENT (interpretation from Arabic): I therefore request those representatives wishing to participate in the debate to inscribe their names as soon as possible.

Mr. GAMBARI (Nigeria), Chairman of the Special Committee against Apartheid: Last year, when the General Assembly considered the policies of apartheid of the Government of South Africa during its forty-fifth session, we took some very important decisions. Some of those decisions were taken by consensus, reflecting our understanding, commitment and desire to enhance the political process which was then gaining a foothold inside South Africa. Since then there have been unquestionable developments both within South Africa and in the international arena relating to the concerted global effort to eradicate apartheid.

The political process that commenced in February 1990, following the adoption of the consensus Declaration on Apartheid and its Destructive Consequences in Southern Africa in December 1989, has been halting but sustained. The process itself, and related undertakings by the protagonists in South Africa, have gone through often very difficult moments, marked by delays, setbacks and at times tempered by an atmosphere of distrust.

The repeal of key apartheid legislation by the South African authorities marked a new threshold towards peace and in the evolution of the political process. But positive and remarkable as that undertaking was, its very essence and contribution towards attaining a non-racial South Africa has been

(Mr. Gambari, Chairman, Special Committee against Apartheid)

continuously clouded by the ongoing political violence in that country. Nevertheless it is gratifying that anti-apartheid forces inside South Africa have remained steadfast in their objectives and that the National Peace Accord was signed on 14 September. We hope that this Accord will become fully operational and have positive results.

The political ups and downs that have become the embodiment of the process are a clear indication that the process will be fraught with many more turns, some imponderable and others more discernible, as the efforts to prepare a new constitution unfold.

The The Secretary-General, in his second report on progress in the implementation of the United Nations resolution, did warn that the political

> "process may be relatively lengthy, and even vulnerable, and it may be affected by the magnitude of the socio-economic inequalities that persist in South Africa and the inadequacy of the measures taken so far to address them effectively". (A/45/1052, para. 10)

This warning by the Secretary-General, which the Special Committee against Apartheid fully shares, should make us pause and recall our continuing responsibilities towards those fighting for their fundamental human rights and basic freedoms.

The international community, and particularly the General Assembly, have consistently over the last 40 years called for the eradication of apartheid. The Assembly has continuously emphasized the importance of realizing that objective through negotiations between the South African authorities and the genuine representatives of the oppressed majority. Today the General Assembly can take pride in the knowledge that its long-standing call is being adhered

(Mr. Gambari, Chairman, Special Committee against Apartheid)

to and appears close to being fully implemented, and that its aspirations for a non-racial South Africa are slowly but surely being realized through the concerted efforts of global anti-apartheid groups, the actions of Governments and, above all, the sacrifices and ongoing efforts by South Africans themselves.

However, there is an imperative need for the international community to remain seized of the question and to remain vigilant in monitoring the political process. The role of the international community is far from being over. Certainly not when, in spite of the peace accord, persistent violence, which is basically a product of apartheid, threatens the democratic transformation of the country and poses a very serious and continuing threat to the negotiating process itself. The international community cannot be neutral during the ongoing political process. It has to remain engaged with the problem, as it has been for more than 40 years. The ongoing negotiations in South Africa involve, as in most negotiations, two sides. On one side are those who uphold universal United Nations principles and are committed to the evolution of a South Africa which would guarantee to all its peoples the same fundamental freedoms and human rights irrespective of their race, colour, sex or creed; on the other, however, are the South African authorities whose origin lies in the discredited political system founded and sustained on repression and racial discrimination. The two parties to the negotiations are therefore neither equal nor morally equivalent and must not be judged as such.

Consequently, it is incumbent on the international community not to abandon its role and obligation to serve as a balancing and supporting element in helping the evolving situation in South Africa.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

It is the opinion of the Special Committee that some Member States have been hasty in unilaterally removing their means of pressure on South Africa. We reaffirm the collective responsibility of the international community to continue applying pressure in order to ensure that the broad-based negotiations leading to a new constitutional order, providing for the total eradication of apartheid and the establishment of a non-racial democracy, be sustained. Such pressure - an effective political leverage - despite its often voluntary and selective nature, has yielded great dividends in the past. We must therefore maintain this leverage of pressure in every way possible, while giving the requisite assistance to the disadvantaged sector of South African society.

As we begin today the debate on South Africa, due cognizance must be given to the internal situation in that country as well as other existing realities. The fluidity of the political dynamics there demands that we act in concert and within the provisions set out in the United Nations Declaration which are receiving broad acceptance in South Africa itself.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

Our goal must be to give impetus to the full and immediate implementation of the Declaration. We must help to bring the prevailing climate of violence to an end, while enhancing the conditions for the free political activity that is necessary if the process of substantive negotiations is to be furthered, and in doing so we must bear in mind the guidelines clearly set out in the consensus Declaration that was adopted by the General Assembly in December 1989. Thus we must encourage the representatives of the people of South Africa to negotiate in good faith by giving this process full support and, in a concerted and phased manner, applying all appropriate pressure on the South African regime and assisting the opponents of apartheid and the disadvantaged sectors of that community.

As a response to some of the positive developments inside South Africa we have recommended the lifting of the academic, the cultural and, in certain conditions, the sports boycotts. Today, following the adoption of the United Nations Declaration, we are at the critical juncture where it has been accepted that certain contacts are becoming useful. The resumption of other links with South Africa should be contingent upon developments in that country. In our opinion the next logical step in the political process is agreement on transitional arrangements. It is gratifying that both sides in South Africa recognize this necessity. Our contribution to the fulfilment of this reality, which is an integral component of the process, is our commitment to the maintenance of appropriate political leverage through restrictive measures until transitional arrangements that inspire general confidence in the administration of the country have been established and, at a later stage,

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a new non-racial, democratic constitution has been agreed upon. We do, of course, recognize that this commitment may be altered at the request or on the recommendation of a transitional South African administration. Of course, the mandatory arms embargo should be retained until a new government is in office as a result of free and fair elections.

I have deliberately dwelt at length on the role of the international community and on its obligation towards the realization of true democracy in South Africa. Since 1962 the Assembly has thrust on the Special Committee against Apartheid the responsibility of monitoring developments in South Africa. The Special Committee has at all times attempted to discharge its duties with credibility and commitment.

This year the Special Committee's report (A/46/22), which is before the Assembly, reflects - as will the draft resolutions that will follow - not only the prevailing realities in South Africa but also, as always, the concerted and coordinated effort to reflect accurately the views and actions of the States Members of the Organization. Accordingly, the Special Committee's programme of work for the next year is tailored to respond to the evolving political circumstances in South Africa. The Special Committee is truly entering a critical period. It must sustain its drive as it navigates through this crucial stage of development. If it is to do so successfully it will require the continued cooperation and assistance of the General Assembly until its task is formally declared to have been done.

In its programme of work for 1992 the Special Committee will be guided by a two-track approach - a combination of pressure and assistance. By way of missions, reports, hearings, seminars and conferences it will place emphasis

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on the need for close monitoring of developments in South Africa, for concerted pressure on the authorities and for increased assistance for the anti-apartheid forces and for the disadvantaged sectors of society. Such issues as constitution-building, human rights, domestic peace, education and training and ways of helping to address the serious socio-economic inequalities in the country will be given special attention by the Committee. I hope, therefore, that at this critical juncture in the anti-apartheid campaign the programme of work of the Special Committee against Apartheid will be given unanimous support by the Assembly.

On a more mundane matter, I assure the Assembly that the Committee will continue, as it has done over the years, to find ways of saving some of its allotted funds, and to remain prudent in its expenditure, bearing in mind the financial constraints faced by our Organization. I am pleased to say, by way of example, that there has been a saving of more than $200,000 in the travel budget for the 1990-1991 biennium. In this and many other respects I must pay tribute to the Director and staff of the Centre Against Apartheid for the excellent work that they have done over the years, especially in recent times, including the Centre's role in assisting the Secretary-General to coordinate all United Nations activities in the implementation of the consensus Declaration adopted by the Assembly.

The ultimate task that we, as Member States, have set for ourselves in respect of South Africa is the eradication of apartheid. That task has yet to be fulfilled. It is very important that I underscore this point: apartheid is not yet dead. Although we are close to our objectives, can we not stop

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running just because the finishing line may be in sight? Can we allow ourselves to jeopardize years of effort and resources now that we are so close to obtaining tangible results? The debate of the next three days should not be determined by known or perceived differences of opinion. That era is far behind us. Our debate is an opportunity to speak with one voice, to join forces, to retain and expand consensus and, thus, assist South Africans at this crucial moment of nation-building.

I am sure that these points will be reiterated and expanded when the Assembly is addressed by no lesser a person than Mr. Nelson Mandela, President of the African National Congress (ANC), and Mr. Clarence Makwetu, President of the Pan Africanist Congress of Azania (PAC). Their presence here is testimony to the high esteem in which the South Africans of all persuasions that they represent hold this Assembly and the United Nations system in general, as well as to their abiding trust and belief that the United Nations has indeed a continued and vital role to play in ending apartheid and in promoting the positive situation that is evolving in South Africa.

In this debate we must all air our respective national views, but let us, in doing so, bear in mind the fact that we have a common purpose - the speedy eradication of apartheid and the establishment of a non-racial and democratic South Africa through peaceful means. Let us continue to pursue that goal in unity and with determination; then victory will indeed be assured.

The PRESIDENT (interpretation from Arabic): I call on the Rapporteur of the Special Committee against Apartheid, Mr. Virendra Gupta of India, to introduce the report of the Special Committee.

Mr. GUPTA (India), Rapporteur of the Special Committee against Apartheid: It is my privilege to introduce the report of the Special Committee against Apartheid (A/46/22) for the Assembly's consideration. This report, which is a sequel to the interim report of the Special Committee contained in document A/AC.115/L.675, covers the period from May to October 1991. I should also like to draw your attention, in this context, to the second report of the Secretary-General on the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, contained in document A/45/1052, which was first submitted at the resumed forty-fifth session, on 13 September 1991.

I should like, first, to outline the structure of the report before you and explain briefly the contents of each section, and then highlight some of the major conclusions reached by the Special Committee. As in previous years, the report is divided into two parts - the first part being the annual report of the Special Committee itself, and the second part consisting of a report on recent developments concerning relations between South Africa and Israel.

Part one contains six chapters, the first of which is an introduction.

Chapter II describes and analyses the ongoing political process in South Africa. After reviewing the general political situation, it assesses the extent to which a climate for negotiations has been created, focusing in particular on the remaining obstacles to the process, such as the political violence and the continued detention of a number of political prisoners. As in last year's report, this chapter also examines the institutional structures

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of apartheid and reviews the important laws which have been repealed or revised, while providing specific data and information to highlight the persisting socio-economic inequalities which still characterize South African society.

A new section entitled "Developments in the process leading to negotiations" briefly compares the different positions taken by the major parties regarding the modalities of this process as well as the negotiations themselves. The last part of chapter II provides data on the state of the South African economy and analyses its performance.

Chapter III of the report examines various aspects of the external relations of South Africa. It first reviews trade and transport links as well as loans and trade credits granted to South Africa and foreign investments made in that country. This chapter, thus, gives an indication of the type of commercial and financial contacts which might have been resumed, while assessing the continuing impact of sanctions in these fields. A detailed review of military collaboration with South Africa follows. The chapter ends with a brief account of the situation in the southern Africa region as it is affected by developments in South Africa.

Chapter IV provides details on the actions taken by the United Nations, governments, intergovernmental and non-governmental organizations in implementing the two-pronged policy on South Africa adopted by the Special Committee earlier this year, and discusses changes in the areas of cultural and sports links with South Africa.

Chapter V gives a detailed review of the work of the Special Committee and of the activities it undertook in the course of the last year concerning

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political developments in South Africa, required pressures on that country, assistance to anti-apartheid democratic forces, and cooperation with other United Nations bodies and other organizations.

In chapter VI, to which I should particularly like to bring your attention, the Special Committee presents its conclusions and the specific recommendations it wishes to make to the General Assembly. The overall assessment of the situation in South Africa provides the framework for the strategy outlined by the Special Committee in this chapter and the basis for its future programme of work.

Finally, the report on recent developments concerning relations between South Africa and Israel, contained in part two, focuses mainly on military and nuclear collaboration between the two countries, although it also examines other aspects of their relations, such as trade.

In its annual report, the Special Committee against Apartheid expresses the view that the process of creating a negotiating framework towards the end of apartheid has reached a new stage in the recent period. Indeed, the conference of the Patriotic/United Front has established a clearer framework for the enhancement of this process, and the convening of a meeting of all the parties concerned has taken place.

The Special Committee, however, reiterates the Secretary-General's warning that this process may be long and vulnerable and cautions that until a number of strategic objectives are attained, namely the establishment of transitional arrangemenents, the adoption of a new constitution and the installation of a new government chosen through free and fair elections, apartheid cannot be considered to have ended. While the repeal of major

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apartheid laws has been a positive step, a number of obstacles and dangers remain, prominent among them being the wave of violence and the potentially destabilizing effect of the grave socio-economic inequalities affecting the majority of the South African population.

The Special Committee concludes that the international community should intensify the monitoring of developments in South Africa, and identify all dangers that can disrupt the democratization process, while keeping in mind that the parties involved in this process do not stand on equal moral grounds. The international community, therefore, should continue to exert pressure on the South African authorities while providing specific assistance to the anti-apartheid forces.

The Special Committee indicates in its report that the exact nature and content of the pressure to be applied should be concomitant with the developments in the country as collectively perceived, and should be adjusted accordingly. In the meantime, and although certain academic, cultural and sports contacts with South Africa may already have been resumed, the Special Committee considers that the random lifting of remaining sanctions is premature and can be counter-productive. Furthermore, the international community should increase its assistance to democratic forces by enhancing their strength and capabilities during the negotiating process, by assisting in the reintegration of returning political exiles and released political prisoners and by contributing to the redress of the serious socio-economic inequalities.

In both fields of pressure and assistance, it is essential that the action of the international community be concerted and effective. The Special

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Committee, therefore, states in the report its intention to use its role as a focal point at the international level on the issue of apartheid South Africa to preserve and strengthen the international consensus on the issue, and it reiterates the need for the Centre Against Apartheid to assist the Secretary-General in forging a concerted approach by all offices and agencies of the United Nations towards South Africa.

Once again, the Special Committee has endeavoured to present to the Assembly a comprehensive report, both factual and analytical. It is the hope of the Special Committee that the information thus provided to the Assembly will allow a fruitful and substantive debate to take place.

The PRESIDENT (interpretation from Arabic): I now call on the Chairman of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, Mr. Anthony Nyakyi of the United Republic of Tanzania.

Mr. NYAKYI (United Republic of Tanzania), Chairman of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa: On behalf of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, I have the honour to introduce its annual report which, as in previous years, I am happy to state, was adopted by consensus by the Group.

For the last five years, the Intergovernmental Group has been monitoring the implementation of the oil embargo which was imposed on the South African regime by the General Assembly in 1986. This is, therefore, the Group's fifth report. In the United Nations way of functioning, where embargoes are usually monitored by appropriate Committees of the Security Council, the Group is an innovative intergovernmental monitoring machinery. By affording the United Nations membership as a whole an opportunity to follow closely and to participate in the implementation of an important embargo imposed by the General Assembly, it has set an important precedent for the future.

Since its establishment, the Intergovernmental Group has relied heavily on the cooperation of Member States for the fulfilment of its mandate. The fact that the embargo is a voluntary one imposes a particular obligation on all Member States. By definition, a party to a voluntary agreement should have no difficulty honouring its obligations. That is why the Group gives the most serious consideration to Governments' responses to its requests for information which might shed light on cases of possible violations of the embargo. The Group has repeatedly emphasized that its investigation of cases of alleged violations of the oil embargo or of calls at South African ports by ships capable of carrying crude oil or petroleum products is not an accusation of wrongdoing on the part of the Governments mentioned in the cases

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concerned. It just raises the possibility that the violation of the oil embargo may have occurred. We are keenly aware of the complexities of the oil trade and recognize that the secrecy that sometimes surrounds such transactions could mean that the Government concerned may not be aware of a particular violation.

However, when a pattern of movements of certain ships raises suspicions of a violation, the Group feels duty-bound to bring the cases of these ships to the attention of the Governments concerned. I cannot overemphasize the importance the Intergovernmental Group attaches to the cooperation of Governments in the discharge of its responsibilities.

The oil embargo against South Africa is, in the view of the Group, one of the most important sanctions applied by the international community to exert pressure on the South African regime in order to compel it to eradicate apartheid and to assist the people of South Africa in their struggle to establish a united non-racial and democratic society. Unfortunately, for various reasons, its potential to exert real pressure on the Pretoria regime has never been fully utilized. If its voluntary nature should have been the source of its strength, it has also been the major cause of its weakness. The weaknesses pointed out in my statement introducing last year's report persist. The most serious remains lack of Security Council action to back up the embargo. The lack of effective national legislative or similar measures to enforce it, the restrictive interpretation adopted by some Member States

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regarding the scope of the embargo and the lack of cooperation by some important Member States with the work of the Group are other serious weaknesses. All these and others have combined to hamper the effectiveness of the embargo. But although the oil embargo has never succeeded in denying South Africa the oil supplies it needs, it has exerted some pressure on the regime. It has compelled it to procure oil at exhorbitant prices and to invest in expensive oil from coal plants and stockpile infrastructure.

The Intergovernmental Group has followed with keen interest the positive developments which have taken place in South Africa since February 1990. The developments which began with the release of Mr. Nelson Mandela, the President of the African National Congress of South Africa (ANC) and covered the unbanning of political organizations including the ANC and the Pan Africanist Congress of Azania (PAC), as well as the release of a number of political prisoners, marked the beginning of a political process to end apartheid through negotiations. The repeal of the Land Acts and the Group Areas Act in June 1991, as well as the amendments to the Population Registration Act and the Internal Security Act - all of which constituted the legislative pillars of apartheid - further advanced the political process. The Intergovernmental Group joins the international community in welcoming these measures as representing an important step on the part of the regime towards satisfying the conditions stipulated in the Declaration for the establishment of a climate conducive to negotiations.

Regrettably, these positive steps have been marred by the persistence of violence which has taken the lives of thousands of South Africans, delays in

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the release of political prisoners and in the return of exiles and the disclosures, several months ago, of the secret funding by the regime of its political allies, raising grave doubts about its impartiality. If the revelations carried in the South African media last week suggesting that contrary to the regime's claims, this secret funding continued into June 1991, the atmosphere of tension and crisis of confidence in the regime will be seriously aggravated.

Thus although we must continue to hope that the All-Party Conference scheduled for the end of the year will take place as planned, we cannot but agree with the Secretary-General in his second report on the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, that the road ahead might be long and vulnerable. With this in mind we believe that any haste in lifting sanctions against South Africa, particularly the oil embargo, is premature and can be counter-productive and could cause the fragile democratic process to abort.

While stressing the need to maintain the oil embargo for now, we recognize that the evolution of the process requires the adoption by the international community of a strategy of a judicious mix of encouragement, pressure and assistance to ensure steady progress. We believe that once the process of substantive negotiations starts and is set on a steady course, it will have a positive impact, not only on the relations among the South African political organizations, but also on the relations between South Africa and the international community.

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We believe that the continuation of the oil embargo at this stage is essential in order to convey an unambiguous message to the South African authorities that the international community is carefully following developments in the country. The oil embargo should therefore remain until there is agreement on a democratic and non-racial constitution in South Africa. This was also the unanimous conclusion of the panel of experts who participated in the hearings organized by the Intergovernmental Group in August.

I wish now to turn to our report. It comprises an introduction, four chapters and four annexes. The introduction explains the outline of the report as well as the mandate of the Intergovernmental Group.

In Chapter II the Intergovernmental Group provides an analysis of the status of the oil embargo against South Africa, and expresses our commitment to continue monitoring the supply and shipping of oil and petroleum products to South Africa until the objectives of the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa have been achieved.

(Mr. Nyakyi, Chairman, Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa)

A review of the work of the Intergovernmental Group is provided in chapter III. The major part of the work of the Group has continued to be the investigation of cases of alleged violations of the oil embargo. The Group has continued to follow movements of ships which are suspected of violating the embargo. Investigation of cases started in 1987. Today the Intergovernmental Group is investigating approximately 800 of these cases. In the past four years a number of cases were removed from further consideration because the Group was satisfied with the evidence presented to show that the oil cargoes were delivered to ports other than South African ports. Some cases were, however, closed simply because the Group had no independent evidence of its own to challenge the evidence presented. But, where the Group received information that some of the documentation submitted had been falsified or forged, it decided to look further into this complex matter.

The Group also continued to monitor the movements of ships capable of carrying oil and petroleum products which called at South African ports. This process started two years ago and has proved to be helpful in closing a serious loophole in the embargo. This year we identified 215 cases of port calls, in addition to the 159 cases carried over from last year.

Since its inception the Group has sought the cooperation of non-governmental organizations and the academic community in its efforts to monitor the embargo. This year we organized hearings on the status and future of the oil embargo to which we invited experts from several non-governmental organizations and the academic community. At the conclusion all the participants, without exception, supported maintaining the oil embargo against

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South Africa until a democratic and non-racial constitution had been agreed upon in that country.

One way of ensuring scrupulous implementation of the oil embargo is the adoption by States of specific legislation or comparable measures designed for the oil embargo. At the last session of the General Assembly the Intergovernmental Group presented a draft model law for the enforcement of the oil embargo against South Africa. The draft was circulated early in 1991 to all States. Replies received so far are contained in the report. Since the adoption of the report the Group has received further replies supporting the model law from Libya, Madagascar, Pakistan and Zambia.

After the adoption of the report the Intergovernmental Group also received a number of replies from Governments concerning cases of alleged violations and port calls. These will be considered by the Group at its next meeting and its decision will be reflected in its report for next year.

Chapter V contains the Group's conclusions and recommendations.

We commend the report to the General Assembly, which we hope will, as in previous years, take note of the report and endorse its recommendations.

The PRESIDENT (interpretation from Arabic): I now call on the Chairman of the Advisory Committee of the United Nations Educational and Training Programme for Southern Africa, Mr. Martin Huslid of Norway, who will introduce draft resolution A/46/L.25 in the course of his statement.

Mr. HUSLID (Norway), Chairman of the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa: In my capacity as Chairman of the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa (UNETPSA), I am pleased

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to make some introductory remarks in connection with the draft resolution contained in document A/46/L.25.

The United Nations has a longstanding commitment to the education and training of young people from southern Africa. Since 1967, when the United Nations Educational and Training Programme for Southern Africa was established, over 34,000 applications for scholarships have been received. More than 7,000 students have completed their studies in a variety of disciplines in over 30 countries; many of them are now assuming prominent positions in political, business, academic and community organizations.

These figures in themselves attest to the significance and scope of the Programme. UNETPSA has offered a broad range of training programmes outside South Africa, varying from technical to vocational training and ranging from the upper secondary level to the doctoral level of study. This has enabled black South Africans to get professional training in areas that for so long were closed to them.

Currently some 1,200 students sponsored by the Programme are studying throughout the world. Almost 70 per cent of them are South Africans and 30 per cent Namibians. They are pursuing studies covering a broad variety of curricula. These range from agriculture to economics, business administration to computer science, and engineering to medicine, as well as remedial and secondary education and technical training of various kinds.

The Programme has continued to grant new awards to Namibians for a transitional period following independence. With the independence of Namibia, it is normal, however, that this arrangement be gradually discontinued. After the expiration of the transitional period, on 31 December 1992, the Programme

(Mr. Huslid, Chairman, Advisory Committee on the United Nations Educational and Training Programme for Southern Africa)

thus will continue to sponsor only those Namibian students already on board, until the completion of the studies for which awards were granted. Hundreds of Namibians have received training under the Programme in key disciplines. We can note with satisfaction that many of them have assumed leadership positions in their country - in government, business, education and other sectors in an independent Namibia.

For the academic year 1991 to 1992 the contributions to the programme rose to more than $5 million, compared with some $4.8 million for 1990 to 1991.

Developments in South Africa during the past year have greatly enhanced the prospects of attaining a negotiated settlement leading to the establishment of a non-racial constitutional democracy. The agreement reached in August 1990 between the South African Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) concerning an amnesty for exiles and the involvement of UNHCR in the repatriation process is a very positive step and of particular significance to the Programme. It is thus expected that up to 40,000 exiles will return home over time, including hundreds of graduates who have received education and training abroad under the auspices of UNETPSA and other scholarship programmes. It is hoped and trusted that this relatively large cadre of competent personnel, together with those who have already returned, will be able to put their skills, training and experience to work in order to help towards the development of their communities. Together they can act as catalysts for change during this period of transition towards a new society in South Africa.

(Mr. Huslid, Chairman, Advisory Committee on the United Nations Educational and Training Programme for Southern Africa)

In order best to meet the needs evolving from the changing circumstances in South Africa, UNETPSA has been reassessing and redefining its priorities and objectives. It considers that the mandate of the Programme should now be made more flexible so that, in an appropriate manner, additional efforts can be undertaken to assist the training of South Africans within the country itself. I think it is well recognized that this would considerably widen the scope and possibilities for UNETPSA, in assisting both the black students of South Africa and those academic institutions in the country which dedicate themselves to their education and are in great need of assistance.

Up until recently most of the students who had access to the educational and training opportunities offered by the Programme were outside South Africa. The Programme is now increasing its intake of students from within South Africa itself. In recent months, a cooperative arrangement was initiated with the National Education Coordinating Committee to evaluate and place qualified candidates from South Africa for study abroad under the sponsorship of UNETPSA.

The Programme is also paying greater attention to the returnability and employability of graduates: both are decisive factors for the achievement of the Programme's objectives, and have now become basic criteria in the granting of awards. Those responsible for the Programme are working to ensure that the priority fields of study are geared to meet the current and prospective manpower needs of the people of South Africa.

The Programme will strive, in particular, to train young black South Africans to take up high- and middle-level jobs in key disciplines, particularly those where shortages of qualified personnel are reaching

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critical proportions and where blacks are generally grossly under-represented amongst those receiving training. These areas are, inter alia, engineering; mining; computer science; systems analysis; computer programming; business management; accounting; training for the medical and paramedical professions; and public administration.

UNETPSA has also expanded its cooperation on new programmes aimed at upgrading the managerial, administrative and accounting skills of personnel actively involved in political and community organizations, mainly by providing short-term training programmes.

The Programme is also considering setting up a system for maintaining contacts with its former graduates so that it may better assess the crucial issue of returnability and employability. A study of this issue may be carried out in order to identify mechanisms, procedures and measures that could ensure a higher rate of returnability and employability under the programme. This is a matter of common concern to UNETPSA and other scholarship agencies since these factors are the ultimate criteria by which the effectiveness and performance of all such programmes can be judged.

Initial efforts are being made to establish contacts with organizations and employers inside South Africa so as to assist in the matching of graduates trained abroad under UNETPSA to available jobs. It is hoped that, by establishing mechanisms and arrangements with actual and potential private employers, organizations and the public sector, graduates might gain access particularly to high- and mid-level jobs, enabling them fully to use their skills and training. The provision of such opportunities, and assistance in job placement, could do much to help ensure that the graduates are able to

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contribute most effectively to the political, economic and social development of South Africa during this period of transition and beyond.

There is a tremendous need to strengthen and upgrade those universities and other educational institutions in South Africa which particularly promote educational and training programmes for the country's black majority. An especially beneficial form of support is therefore the development of foreign exchange programmes for junior faculty and graduate students from these institutions. In this connection, the Programme has devoted resources to a junior faculty and graduate student enhancement programme through short-term training courses abroad in cooperation with the University of the Western Cape and the African-American Institute. UNETPSA is also looking into ways of expanding this programme to include other black universities.

Between 25 and 27 June 1991 the International Conference on the Educational Needs of the Victims of Apartheid in South Africa was held in Paris; it was convened by the United Nations Special Committee against Apartheid and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in cooperation with the Advisory Committee of UNETPSA. Some 120 participants, including South African experts on education and human resources development, and representatives of donor countries, non-governmental organizations, specialized agencies and the national liberation movements attended the Conference. A follow-up meeting between donor countries, scholarship agencies and educational programmes was held on 28 June.

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I think that the most important point that was brought out by the Paris Conference was that, while great progress has been made in abolishing the formal framework of apartheid in South Africa, the elimination of the disadvantages and inequities imposed by the system upon the black population in a field such as education remains a very large and long-term task.

The Paris Statement on International Assistance to Victims of Apartheid in the Fields of Education and Training, which was adopted by the Conference, called on Pretoria to address urgently the education crisis in South Africa by taking appropriate political, legal, financial and other measures. It also called on the international community to assist towards that end, and outlined ways and means whereby international assistance could best be provided in order to help alleviate the current education crisis and contribute to the formulation and implementation of a human resources development strategy for South Africa.

The Statement underlines, I think, the task and mission that lies ahead for UNETPSA in an altered situation. I was therefore glad to note that following the Paris Conference UNETPSA was designated as a focal point for liaison and coordination between programmes of bilateral and multilateral educational cooperation with and assistance to South Africa. UNETPSA has been for many years, and still is, the largest intergovernmental scholarship programme for South Africans, with broad support from and access to all States Members of the United Nations, and intergovernmental and non-governmental organizations involved in educational assistance to young South Africans. It is therefore, I believe, well placed to carry out that task at this critical juncture in the life of the country.

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Given the huge backlogs in the fields of education, housing and health in South Africa and the need to bridge enormous economic and social disparities, the educational activities of the United Nations should increase in the years to come. In this respect, UNETPSA looks forward to working with all Governments and intergovernmental and non-governmental agencies with similar programmes.

We are encouraged by the efforts of Governments, organizations and educational institutions everywhere to provide resources to help meet the needs of those South African students who are seeking an education at home and abroad. May I, therefore, on behalf of the Advisory Committee, thank all those who have demonstrated, and continue to demonstrate, their concern and support for young people in South Africa and Namibia by providing funds and places at their universities and technical institutions, as well as counselling and employment opportunities.

Still on behalf of the Advisory Committee, I take great pleasure in expressing our appreciation for the valuable support and assistance rendered to the Programme by the Secretary-General. Our thanks go also to Mr. Sotirios Mousouris, Assistant Secretary-General and Head of the Centre against Apartheid, and to his staff, as well as to the Fellowships Service of the Department of Technical Cooperation for Development. Finally, a particular expression of appreciation should be made to the manager of the Programme, Mr. Abdennour Abrous.

The General Assembly has time and again adopted unanimous resolutions commending the Programme as a genuine and most valuable international

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humanitarian effort. It is hoped that at this important time, as UNETPSA strives to meet a continually growing demand for opportunities for education and training, to expand its cooperation and liaison with programmes providing educational assistance to South Africans, to contribute to the strengthening of black and other educational institutions within South Africa, and to promote and facilitate the return and employability of its graduates, the international community will provide the Programme with the resources needed to meet its future financial requirements.

We have been encouraged by the level of support that the international community has extended to the Programme in the past. I trust that the General Assembly will once again express its strong support for the Programme and stress the need for generous contributions by an even larger number of Member States, organizations and educational institutions.

The large economic and social disparities existing between the black and the white population in South Africa today are a sad legacy of decades of apartheid. Meeting the educational needs of black students, and thereby increasing their opportunities for advancement and for bettering their lives, are essential steps in helping to redress the burden of disparities that has been imposed upon them. Concerted efforts to bridge those inequities effectively are of paramount importance if the success and durability of a constitutional settlement are to be assured.

During this period of transition to a post-apartheid South Africa, UNETPSA, through its provision of education and training opportunities to many young South Africans, can, I believe, make an increasingly important

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contribution towards human-resources development in a non-racial and democratic South Africa. This is a task that calls for the support of us all.

The PRESIDENT (interpretation from Arabic): We shall now begin the debate on agenda items 37 and 102.

Ms. THORPE (Trinidad and Tobago): As we prepare once again to debate the vexed question of apartheid, we can discern two conflicting impulses at work among members of the international community. On the one hand, there are those who desire to celebrate the very real advances made over the past year towards the eradication of this evil system. On the other hand, there are those who express profound concern over our failure to realize the change proposed in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which this very Organization adopted by consensus some two years ago.

This difference in responses may be readily understood. Those who seek to lay emphasis on the progress that has been made remind us quite properly that with the repeal of the Group Areas Act, the Population Registration Act, the Separate Amenities Act and the Land Acts, the main pillars of apartheid have been removed, and they point to other measures undertaken by the South African authorities, including the amendment of the Internal Security Act, Pretoria's participation in the National Peace Accord signed this past September and the Memorandum of Understanding reached with the United Nations High Commissioner for Refugees.

These are indeed significant measures, measures which, moreover, may well have earned Pretoria unqualified praise from the entire international community. Regrettably, however, the retention of critical aspects of

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apartheid legislation, the so-called Inkathagate disclosures and the apparent reluctance of Pretoria to address injustices inflicted by apartheid on the black population have all combined to rekindle in many the conviction that the white minority is not seeking so much to negotiate an end to apartheid as it is to use negotiations to perpetuate white privilege and domination.

By way of illustration, let us consider very briefly how Pretoria has responded to two issues that are of fundamental importance to the black population. Let us look at the questions of land ownership and education. When the South African authorities repealed the Land Acts in June of this year, the Special Committee noted that the benefits of that action would not materialize unless certain complementary measures were enacted. In its most recent report, the Committee has reiterated this point, arguing that since the majority of the South African population experienced widespread land dispossession, there was need for

> "an integral programme of land reform, including the restoration of land rights ... legal mechanisms to adjudicate conflicting claims to land and a programme of restitution to the victims of forced removals."
>
> (A/46/22, para. 9)

The fact that none of this has been undertaken encourages the assertion that much less is being accomplished than one is asked to believe.

Again, in June of this year the Special Committee against Apartheid joined with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Advisory Committee of the United Nations Educational and Training Programme for Southern Africa (UNEPTSA) to organize an International Conference on the Educational Needs of the Victims of Apartheid. The Paris Statement adopted at the end of that Conference declared

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that the education crisis in South Africa created by the policies and practices of apartheid had reached disastrous proportions, and it called upon the South African Government to address fully and urgently the quantitative and qualitative components of the education crisis by taking appropriate political, legal, financial and other measures.

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Yet, as the Special Committee reports, the State is still spending five times as much for the education of each white child as for that of each black child. Moroever, it is estimated that while some 2 million black children cannot be accommodated in the present school system, there are more than 300,000 vacancies in white schools.

The fact that these conditions prevail despite the existence since February of a joint working group on education illustrates a larger and more general problem confronting the anti-apartheid forces: I refer to the continuing overall effectiveness of the remaining apartheid laws and the dearth of mechanisms to enforce even those reforms that have been attempted. We are well aware, for instance, that while amendments to the security legislation abrogate long-term "preventive" detention, the laws governing witness detention, short-term preventive detention for 14 days and incommunicado detention for a period of 10 days in the first instance all remain intact, effectively subverting the aims of those who sought a means of securing the safety of detainees. Similarly, despite some movement on the part of the authorities, the issue of political prisoners remains mired in controversy. If Pretoria is indeed committed to fulfilling this aspect of the 1989 Declaration, hundreds more political prisoners will have to be released - and this includes those confined in the so-called homelands.

We all shared in the consternation which greeted the disclosure that public funds had been used secretly to support the activities of certain select political organizations. And the continuing political violence promoted, it is being alleged, by elements of the security forces and the extreme right remains an ongoing source of concern. This rampant violence, which has claimed thousands of lives, destabilized communities and displaced

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tens of thousands constitutes one of the most serious obstacles to the negotiation process. We in Trinidad and Tobago welcomed the adoption of the national peace accord, recognizing its potential as an instrument of reconciliation, and we have regretted the fact that to date it has met with only limited success. Yet while the business of securing and maintaining peace clearly demands the cooperation of all parties to the conflict, the ultimate responsibility must surely rest with those who hold the reins of power and who alone can ensure that the police and the security forces act promptly and impartially.*

Yet despite the very significant obstacles still standing in the way of a free, united, non-racial, democratic South Africa, there is no denying that the past year has recorded some progress towards substantive broad-based negotiations. In that respect, the newly formed Patriotic/United Front is a source of particular encouragement, demonstrating as it does the determination of the anti-apartheid forces to work together on key objectives. These include agreement on fundamental principles of a new constitution, the establishment of an interim government or transitional authority and the drafting of a new constitution which, they hope, will be prepared by a democratically elected constituent assembly.

Trinidad and Tobago applauds this attempt by the democratic forces to forge common positions and a common strategy as they prepare to negotiate the future of their country; my country also trusts that the all-party congress

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* Mr. Nyakyi (United Republic of Tanzania), Vice-President, took the Chair.

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pre-constitutent assembly meeting scheduled for the end of 1991 will see some convergence of views on how the entire society can work together to promote the process of change advocated in the 1989 United Nations Declaration on Apartheid. But it is precisely because so much is still at stake that a collective, concerted response by the international community remains a matter of the first importance, especially as it pertains to the issue of sanctions.

The Special Committee against Apartheid has observed in its report to the current session of the General Assembly that

> "The random lifting of sanctions is premature and counter-productive. It deprives the international community of its leverage and ability to promote the process." (A/46/22, para. 193)

At this stage it is imperative that the international community lend support to the process under way in South Africa through the collective and careful application of appropriate pressure on the South African régime.

Two years ago, a group of experts commissioned to conduct an independent evaluation of the application and impact of sanctions concluded its report to the Commonwealth Committee of Foreign Ministers on Southern Africa with the following statement:

> "The mood in South Africa is changing ... and there is new international potential for negotiation ... . Sanctions are the way to take advantage of the opportunity now available. Sanctions are an essential part of negotiations, not an alternative to negotiations."

There is widespread agreement that sanctions have played an important part in encouraging change. Already we have witnessed the first steps towards a process of broad-based negotiations on the establishment of a non-racial multi-party democracy. Yet, as the Secretary-General has stated, the road

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ahead remains long and vulnerable. Surely, it behoves us now more than ever to maintain a common front and to mobilize all the resources at our command to ensure a speedy transition to conditions of social, economic and political justice in a re-created South Africa.

Mr. RAZALI (Malaysia): The Malaysian delegation would like to express its appreciation for the statements made just now in relation to the reports of the Special Committee against Apartheid, the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, and the United Nations Educational and Training Programme for Southern Africa, delivered respectively by the representatives of Nigeria, the United Republic of Tanzania and Norway. We should also like to thank the representative of India who, in his capacity as Rapporteur, introduced the report of the Special Committee. My delegation finds those reports comprehensive and forward-looking; they clearly indicate that much remains to be done.

(Mr. Razali, Malaysia)

Over the last two years, the international community has witnessed many significant developments and measures taken towards the dismantling of apartheid. Nelson Mandela was released after 27 years of imprisonment. Others, his comrades in the struggle against apartheid, were released earlier or shortly afterwards. The Group Areas and Land Acts, as well as the revision to the Population Registration Act, were repealed. These measures and other initiatives have changed dramatically the future direction of southern Africa. In fully supporting these developments and responding with the measured steps necessary to induce the process to advance, the international community played its expected role in tandem to promote negotiations towards a fully representative Government and rectifying the long years of abuse and deprivation for the blacks of South Africa.

In this light, Malaysia shares the serious concern over some negative developments which threaten the still-fragile situation. Foremost amongst them have been the various acts of violence which appear to be targeted at destabilizing the democratic forces within South Africa. Of more concern to us is the fact that these acts of violence point to the complicity and involvement of elements within the security forces of the South African Government. Disclosures made recently that public funds have been used to secretly support the activities of certain organizations and unions to destabilize the African National Congress (ANC) are particularly disturbing.

For the whites of South Africa, it would be short-sighted to try to divide the blacks. It is very much in the interest of the whites to negotiate with full commitment for a democratic, non-racial Government of South Africa. For blacks and whites alike, the process and pursuit of this historic objective must be accelerated.

(Mr. Razali, Malaysia)

The Commonwealth Heads of Government meeting held at Harare in October 1991 strongly condemned the acts of violence and called upon the South African Government and other parties to end the violence as a matter of utmost urgency. In the context of future negotiations, there is an urgent need for the South African Government to undertake remedial action effectively to end the violence and to re-establish its credibility. My delegation fully shares the sentiments expressed by the Special Committee against Apartheid in March and September that such violence could not only derail the peace process but also create a legacy of profound resentment and hatred that a future South Africa could ill afford. The future of a pluralistic South Africa must not fall victim to a spiral of retribution even as, admittedly, the consequences of decades of apartheid cannot be swiftly overcome.

In September this year, the South African authorities, the African National Congress and the Inkatha Freedom Party signed the national peace accord. Malaysia considers the accord a very important step to end the culture of violence, and we urge the parties concerned to implement the accord in earnest. My delegation is also heartened to note that the report of the Special Committee against Apartheid expressed the view that, despite the many problems and setbacks faced by the liberation movements, virtually all the political leaders of South Africa, with the exception of a few conservatives within the white minority ruling party, agree on the need to commence broad-based, substantive negotiations on the constitutional future of South Africa under the aegis of an independent convener enjoying the confidence of all concerned. The discussions that are to take place this month, with the preliminary arrangements already underway promising further constructive developments, are being monitored closely by the international community. The

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Commonwealth Heads of Government in Harare have expressed their willingness to assist the negotiating process and have requested the Secretary-General of the Commonwealth to explore the ways in which the Commonwealth could assist in lending momentum to the negotiating process.

To a large extent, the positive changes that have taken place so far in South Africa have been the result of the sanctions and economic isolation imposed by the international community. The sanctions have successfully fulfilled part of their objective of putting pressure on the South African authorities until they agree to bring about an end to apartheid and to establish a democratic, non-racial Government in South Africa. These sanctions for the most part continue to be necessary, though there are efforts towards the relaxation of some of the restrictive measures imposed on South Africa in view of the progress made so far towards the eradication of apartheid. In particular, there is agreement that sanctions should be lifted in phases in accordance with specific progress made towards substantive negotiations on the new constitution. The Commonwealth Heads of Government in Harare endorsed the "programmed management approach", which would relate any change in the application of sanctions to real and practical steps towards the ending of apartheid.

It is very important that there be a clear understanding by the international community of the state of play where sanctions are concerned. While "people to people" sanctions have been lifted, the time for a summary removal of sanctions has not yet arrived. In this context, economic and financial sanctions would still need to be maintained. Malaysia is concerned over the rush by certain countries to hastily lift measures related to

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economic and financial sanctions. At this critical stage, the complete lifting of sanctions may not only send a wrong signal but may undermine the very process of change itself.

On arms sanctions, it is of the utmost importance for the international community to fully observe the mandatory arms embargo imposed on the South African regime. It has been noticed that, despite the mandatory embargo, some countries have continued their military links with South Africa. In this regard, the Special Committee against Apartheid in its latest report has made a special reference to Israel which stated that in spite of Israel's repeated statements that its collaborations with South Africa have been curtailed, reports still point to ongoing involvements that could relate to transfers of armaments and nuclear technology. My delegation calls upon those involved to desist from such acts and comply with obligations under Security Council resolution 421 (1977). In this respect, my delegation welcomes the decision taken by the South African authorities to become a party to the Treaty on the Non-Proliferation of Nuclear Weapons and the conclusion of a safeguard agreement with the International Atomic Energy Agency.

Malaysia is particularly concerned that the profound socio-economic inequalities between the white and black populations of South Africa that were brought about by apartheid could preclude real peace and stability in a post-apartheid South Africa. The Special Committee against Apartheid has reported that the per capita income of South Africa for 1991 is 20,600 rand for whites and 2,400 rand for blacks. Less than two per cent of whites live below the poverty line compared to 53 per cent of the blacks. That is why Malaysia strongly believes that a unified comprehensive policy of socio-economic reforms as an international undertaking is necessary to

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alleviate the injustices inflicted by apartheid on the black population. The United Nations, having persisted for many years in maintaining the international pressure towards ending apartheid, must now play a central role in this needed direction. The Chairman of the United Nations Educational and Training Programme for South Africa spoke clearly just now of this overall need.

Outstanding issues remain which need to be addressed urgently. For instance, the South African authorities should fully comply with the provisions of the United Nations declarations and with the agreements reached with the ANC in May 1990 and August 1990 relating to the release of political prisoners. To date, many political prisoners remain in jail. The Malaysian delegation believes that the mere repeal of the apartheid laws is not sufficient. The concomitant attitude and practices that were indeed the consequences of repressive laws should be done away with altogether.

(Mr. Razali, Malaysia)

Apartheid can be considered extinct only after the attainment of the following fundamental objectives: the establishment of transitional governing arrangements, the adoption of a new constitution based on the fundamental principles envisaged in the 1989 United Nations Declaration on Apartheid and the installation of a new government after free and fair elections based on the new constitution. Malaysia believes that the implementation of these democratic processes will bring South Africa fully into the community of nations, to which the country and all its people will have much to contribute. What was once a dream of those incarcerated in jails, a dream of freedom in their lifetimes, may well become a reality.

In the meantime, international solidarity of purpose as manifested in the 1988 United Nations Consensus Declaration must be maintained in its basic form to meet the difficult challenges still ahead and ensure a successful conclusion to the process of change in South Africa. Malaysia will remain solidly behind that international solidarity in support of democratic forces for attaining the goal of a democratic, non-racial South Africa.

Mr. VAN SCHAIK (Netherlands): I have the honour to speak on behalf of the European Community and its twelve member States.

This debate takes place at a moment of historic opportunity for the people of South Africa. Two years ago the French Presidency of the European Community, also speaking on behalf of its Twelve members, was still obliged to note that

> "the authorities in Pretoria have still not adopted the necessary measures to foster a genuine national dialogue";

and the text continues, "the reforms carried out so far ... have proved insufficient".

(Mr. Van Schaik, Netherlands)

Few could have predicted the progress achieved in South Africa over the past years, which culminated in the Preparatory Meeting to the Convention for a Democratic South Africa that held its first session three days ago.

The international community offers its warm and unstinting support for the process now under way and for the convention scheduled for later this month. The Twelve have at every stage supported that process and worked for the peaceful ending of apartheid and the creation of a united, non-racial and democratic South Africa. After recent events, there is now every reason for us to hope that the fabric of a country and society long torn and divided will be restored.

The Twelve congratulate all the parties involved on the courage and statesmanship they have displayed in moving towards formal negotiations on a new South Africa. As these begin, let me pledge on behalf of the Twelve our full support and best wishes.

The Twelve have always condemned apartheid as a form of institutionalized racial segregation and a systematic violation of the principle of equal rights of all human beings, which is enshrined in the Charter of the United Nations and in the Declaration of Human Rights. Throughout the years the Twelve have called for the immediate and total abolition of apartheid through peaceful means, convinced that the vicious cycle of repression and violence could only be broken through constructive dialogue and negotiations.

In the past two years the Government of South Africa has at short intervals taken decisions and announced policy principles that clearly herald the end of apartheid. The list of these events is impressive.

In February 1990 Nelson Mandela was freed, while later a continuing political dialogue between the Government and the African National Congress

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was started, resulting in the "Groote Schuur Minute" and the "Pretoria Minute". Subsequently, the state of emergency was lifted all over the country and discriminatory legislation, including the Separate Amenities Act, was repealed.

In the same year the African National Congress, for its part, proclaimed the suspension of the armed struggle and entered into discussions and negotiations with the Government at all levels.

In 1991 the Government introduced legislation in the South African Parliament aimed at the withdrawal of the so-called pillars of apartheid, notably the Land Acts of 1913 and 1936, the Group Areas Act of 1966, the Development of Black Communities Act and the Population Registration Act of 1950, which were subsequently repealed during the month of June.

As things stand now, it seems clear that an irreversible process has taken shape.

The Twelve note that during the last year a considerable number of political prisoners in South Africa have been released. In this context, we are concerned that no adequate solution has yet been found to the question of the continued detention of political prisoners in the so-called independent homelands. In order to improve conditions for the upcoming substantive negotiations on a new constitution for a united, democratic and non-racial South Africa, we insist on the release of all political prisoners without delay.

The European Community and its member States have already welcomed the agreement reached between the South African Government and the United Nations High Commissioner for Refugees on the return of refugees and political exiles to South Africa. The agreement removed an important obstacle to progress

(Mr. Van Schaik, Netherlands)

towards substantive negotiations on a new constitution for a democratic and non-racial society in South Africa.

The Twelve remain concerned over the continuing violence in South Africa. We welcomed the signing of the National Peace Accord on 14 September 1991 and expressed our hope that this agreement would finally open the door towards a definitive end to the tragic and senseless bloodshed that continues to occur. Continued commitment to peace is essential for further progress in the process of change in South Africa. Therefore, we urge all parties to subscribe to the principles laid down in the National Peace Accord and to assure its enforcement on all levels.

(Mr. Van Schaik, Netherlands)

The Twelve welcome the convening last Friday of the Preparatory Meeting to the Convention for a Democratic South Africa, laying the basis for the Convention itself before the end of the year. We think that this meeting augurs well for the negotiations on a new constitutional order leading to a non-racial democracy, which represents the major challenge ahead. We hope that all partners in the negotiations will show the necessary flexibility and statesmanship that is required for a speedy and positive outcome.

It is up to the parties in South Africa themselves to shape the form of the new South Africa through broad-based negotiations. The role for the international community has been, and remains, to press for the total elimination of apartheid so that the South African people can freely determine their own future.

It is well known that we have never subscribed to the idea of total isolation for South Africa. At the meeting of the European Council in Dublin in June 1990, the Twelve affirmed their willingness to consider a gradual relaxation of pressure when there was further clear evidence that the process of change already initiated continued in the direction called for. The situation in South Africa has during the past year led the Twelve to lift some restrictive measures.

The legislative pillars of apartheid have at last been dismantled. But huge challenges remain in South Africa: the challenges of eliminating the socio-economic and cultural barriers and the establishment of a sustainable democracy. A new pluralistic, democratic, united and non-racial South Africa should not be condemned to start on the basis of economic ruin. It is

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becoming more and more clear that South Africa needs massive financial resources to face its acute socio-economic problems, especially in the areas of employment, education and housing, against a background of a high rate of population growth. The lifting of the embargo on new investments and of the measures imposed in 1986, as announced in the statement of the European Council in Rome in December 1990, was intended to help combat unemployment and improve the economic and social situation in South Africa.

Now, on the eve of the start of negotiations, it is time for the United Nations to reassess its relationship with South Africa. There is a great deal for the Organization and its agencies to do in South Africa, in particular to help address the huge social and economic problems that afflict the people of that country and pose a serious threat to their future. The United Nations and its agencies should develop their contacts with the parties in South Africa and with the South African Government to work out details of additional supportive undertakings. In this context, it should be borne in mind that cooperation already exists between the South African Government and United Nations committees and agencies like the United Nations Education and Training Programme for Southern Africa (UNETPSA), the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the United Nations Centre for Transnational Corporations which is at present undertaking a study for a Code of Conduct in South Africa.

In the meantime a number of other countries, including some from the African continent, have also decided to relax the pressure they had imposed on South Africa. The decision of the International Olympic Committee to allow South Africa to participate anew in the Olympic games, as of 1992, is of equal importance. It shows that increasingly the opinion is gaining ground that

(Mr. Van Schaik, Netherlands)

people-to-people contacts can be used as a factor of change in the process of building a new South African nation.

The Twelve will closely monitor the situation in the period ahead and decide, on the basis of developments in the reform process, whether further adaptation of its programmes of restrictive and positive measures is appropriate.

The Twelve remain fully aware of the grave consequences of the destructive apartheid system, which will continue to affect the country in the forthcoming years of transition. The divisions created by apartheid within South African society will not disappear overnight with the mere abolition of the discriminatory legislation. In the future it will be of crucial importance that the international community, after having exercized pressure on the Pretoria government for many years, gradually plays a supportive role in the process of social rehabilitation and reconciliation. The United Nations and its agencies should fully commit themselves in a constructive manner to that process.

The Twelve strongly believe that the Assembly should, at this important juncture in the history of South Africa, reflect the positive developments which have occurred in the country. Outdated statements, doctrines and resolutions benefit only those opposed to the process towards a democratic and non-racial South Africa, and thus are not helpful to the process under way. The Assembly should now send a signal of encouragement and hope to all South Africans, a signal promoting confidence in their common future and determination to move forward towards the building of a new society, based on freedom and dignity and equal rights for all. The Twelve will spare no effort to contribute to this goal.

(Mr. Van Schaik, Netherlands)

The European Community and its twelve member States look forward to the time in the near future when we will see a new, free and democratic South Africa, without racial discrimination, playing its full part in the community of nations.

The PRESIDENT: In accordance with the decision taken by the General Assembly at its 3rd plenary meeting, held on 20 September 1991, I now call upon the representative of the Pan Africanist Congress of Azania.

Mr. MAKWETU (Pan Africanist Congress of Azania (PAC)): At the outset I should like, on behalf of the Pan Africanist Congress of Azania (PAC) - the true custodian of the legitimate aspirations of the oppressed and dispossessed people of Azania - to thank the Special Committee against Apartheid most sincerely for making it possible for me to address the Assembly on the policies of the illegal minority regime in South Africa and on the legitimate struggles waged by the PAC in particular and by the oppressed people in general. This is as it should be, as the assertion that the policies of the minority regime constitute a crime against humanity is correct.

The United Nations Secretary-General, who will leave the world body at the end of this month, played a commendable role in opposing and exposing the apartheid system and in supporting the legitimate struggle of the Azanian people for national liberation and self-determination. It was during his tenure that the General Assembly held the special session at which it adopted the consensus Declaration on the destructive consequences of apartheid. That Declaration was adopted in 1989, but its principles and provisions have yet to be fully implemented - a fact to which periodic reports of the Secretary-General testify.

The PAC wishes to place on record its profound thanks to Mr. Perez de Cuellar for his understanding and principled support. We wish him well in his future endeavours.

The PAC is particularly pleased at the decision of United Nations Member States that the next Secretary-General should be a person from Africa. Almost

(Mr. Makwetu, PAC)

one third of United Nations Members are from the African continent, and even more important is the fact that Africa has consistently supported United Nations principles and United Nations structures. We remain confident that the able African candidate, Mr. Boutros Ghali, will carry out with competence the tasks entrusted to him. The PAC congratulates Mr. Boutros Ghali on his unanimous election and assures him of its full cooperation.

What the PAC has been advocating and fighting for are principles that are universally accepted and are enshrined in United Nations Declarations. The core of the struggle is our people's resolve to exercise its inalienable right to self-determination. We remain committed to the realization of this fundamental objective.

Principled internal resistance, the imposition of voluntary and selective economic sanctions, the mandatory arms embargo and the changed international climate have helped to compel the minority regime to adopt a reformist posture. Prior to the changes in Eastern Europe the regime manipulated the so-called Communist threat for the purpose of soliciting uncritical Western support. This it can no longer do. In the new political climate racist South Africa and Zionist Israel are no longer considered indispensable strategic outposts. In fact, they are fast becoming political and economic liabilities. It was in the light of these realities that the minority regime in South Africa decided to adopt a reformist posture.

Apartheid regime leaders and spokespersons have repeatedly emphasized that their objective is to reform the discriminatory system - not to eradicate it and seriously address the painful situation arising from centuries of colonialism, dispossession and apartheid.

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The purpose of the reformist posture is to create the impression of willingness to change but, basically, to change nothing - or very little. Allow me to cite some obvious examples. Our people legitimately made the point that the Land Acts of 1913 and 1936, which were passed by an all-white Parliament created by British colonialism, set aside 87.3 per cent of the total land area for the exclusive ownership and occupation of whites although these people comprised only 13 per cent of the total population. Constitutional experts and political observers may argue that the Land Acts of 1913 and 1936 have been repealed and that their repeal constitutes a change. But by repealing the Land Acts De Klerk merely said to the white community, "Why have the Acts when you can keep the land without them?" To the dispossessed, who represent the overwhelming majority, the repeal of discriminatory legislation means very little or nothing unless it is accompanied by a comprehensive land-redistribution programme.

Similarly, tinkering with the Population Registration Act, but leaving its main provisions intact, does not impress our people. As a result of the revision, children born after 25 July 1991 will not be classified. However, persons born before that date will remain racially classified - Bantus, coolies and whatnot. The Population Registration Act will not be abrogated until a new, non-racial, democratic constitution is in place.

The repeal of some legislative measures that are considered to be pillars of apartheid will not alter the system fundamentally until we have a new, non-racial, democratic constitution that upholds democratic majority rule based on the principle of one person, one vote. This is the view not only of the PAC and the vast majority in Azania but also of all United Nations Members. The consensus Declaration, therefore, explicitly states that the

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objective of genuine change must not be simply to amend or reform apartheid. Consequently we urge United Nations Members States to examine steps taken by the regime. They must do so with a view to concluding whether those steps amount to reform or eradication of apartheid. If the real motive is the provision of genuine assistance in this process it is incumbent upon all of us to act soberly and not euphorically.

The PAC is firmly committed to democratic resolution of the conflict in our country, and it emphasizes the need to use the most effective method of struggle. On the political front, the PAC strongly believes that the central objective must be the transfer of political power from the minority regime to elected representatives of the majority. This is in keeping with principles and provisions of the United Nations consensus Declaration. The PAC believes also that the core of a solution to the problem is the drafting and adoption of a new, non-racial democratic constitution. In this regard the PAC, in December 1990 at its second congress, decided unanimously to demand a democratic mechanism for the purpose of drawing up the new constitution, and we called for the establishment of an elected constituent assembly as the democratic forum for the performance of this task. In April 1991, in Zimbabwe, the national executives of the PAC and of the African National Congress (ANC), in a joint resolution, endorsed this democratic mechanism. We also agreed that acceptance of it should be the qualification for participation in the Patriotic/United Front Conference. Later, similar agreements were reached between the PAC and the Azania People's Organization (AZAPO).

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In pursuance of this mandate from our Congress and the Patriotic/United Front Conference, the PAC attended the preparatory meeting held on 29 and 30 November in the search for a democratic mechanism and a solution. The PAC was not a party to the selection of participants or of the criterion used. Some 20 political parties were invited to and attended the meeting. The composition of the meeting was indeed interesting. Ten of the 20 parties were from the so-called Bantustans and represented structures created by the establishment.

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Another six represented the tricameral parliament structure, with the regime having two delegations, one for the Government and the other for the ruling National Party. The Congress Alliance was represented by the African National Congress, the South African Communist Party and the Transvaal-Natal Indian Congresses. The PAC was the only political organization there which was neither an establishment body nor engaged in prior negotiations with the regime. Our mandate was clear - to seek the establishment of democratic mechanisms to solve the conflict.

Much to our surprise we discovered at the meeting that agreements had already been reached on such key issues of the agenda as the neutral venue, the neutral and independent convenor, and procedure. On all these issues the regime proposed and the ANC supported, or vice versa. The PAC was outvoted by a pre-packed voting claque.

That such vital decisions are taken by groups whose support has never been democratically tested cannot augur well for the thriving of genuine democracy in our country in the post-apartheid period. After an assessment of the process carried out thus far at the preparatory meeting, the leadership of the PAC, strongly committed to democracy, resolved to suspend the PAC's further involvement in the meeting, with immediate effect, pending consultation with our members and those of the Patriotic/United Front through the convening of a special national congress of the PAC on 16 December 1991 in Cape Town. The PAC leadership will then carry out the new mandate given to it by the PAC and the United Front members.

Allows me now to touch briefly on the crucial issue of pressure against the apartheid regime. We have not yet established a democratic mechanism to solve the problem, let alone agreed on a new constitution. Therefore, the

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PAC strongly feels it is premature to relax or remove any pressure now. In this regard we strongly condemn the decisions of Japan and Finland to remove all sanctions, as their decisions constitute a great disservice to our legitimate struggle. Similarly, we express regret at the premature lifting of the Comprehensive Anti-Apartheid Act by the Bush Administration. We must strongly condemn the continued economic, military and other forms of collaboration between the regime in Pretoria and Tel Aviv. We must also register our strongest disappointment at the stampede by Eastern European countries to establish all forms of relations with the minority regime. We call on the international community to maintain all forms of pressure, including sanctions, until Azania is transformed into an independent country.

The international community is aware of the unprecedented violence afflicting our country. The international community has correctly expressed concern about the violence. Given that over 10,000 people have been killed in recent years due to this violence, we urge the Assembly to institute an independent commission of inquiry into the real cause of the violence in the country. The PAC remains convinced that the principal perpetrator of the violence is the regime. Can the regime explain why it is keeping in camps armed members of the Buffalo Battalion 32 of Angolan mercenaries, the Koevoet Battalion of Namibian mercenaries and RENAMO elements? Against whom are they to be deployed? It is these elements that have been used to carry out the massacres of innocent civilians.

May I once again emphasize that unless we establish an elected constituent assembly to draw up a new constitution, unless we entrust elected people with the charting of the democratic path, unless we form a transitional authority, with international participation, to oversee the transition from

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minority to an elected majority, and unless internal and international pressure is maintained against the regime, all efforts at a relatively peaceful solution to our problems will remain frustrated.

The PAC and the people of Azania remain committed and determined to liberate our country, employing all means at our disposal. We cannot and will not compromise on liberation, and we cannot and will not compromise on establishing a genuine democracy based on the free will of the Azanian masses.

Last but not least, allow me especially to thank the Chairman and members of the Special Committee against Apartheid for supporting our just struggle on all fronts. Ambassador Ibrahim Gambari has been carrying out his duties with a deep sense of commitment. I wish also most sincerely to thank the Assistant Secretary-General and Head of the Centre against Apartheid, Mr. Mousouris, for a job well done and for his untiring efforts in support of the total eradication of apartheid. We also wish to thank all the officers in the Centre for their dedication.

The PRESIDENT: I should like to remind members that the list of speakers in the debate on agenda items 37 and 102 will be closed tomorrow at 12 noon.

PROGRAMME OF WORK

The PRESIDENT: I should like to recall that, as previously announced, tomorrow, Tuesday, 3 December, in the morning, the Assembly will consider agenda item 16, Appointment of the Secretary-General, as the first item, after which it will continue the debate on agenda items 37, Policies of apartheid of the Government of South Africa, and 102, United Nations Educational and Training Programme for Southern Africa. The general debate on items 37 and 102 will also continue in the afternoon and the following day, Wednesday, 4 December, in the morning.

(The President)

On Wednesday, 4 December, in the afternoon, the Assembly will hear a statement by the Secretary-General on agenda items 109, Current financial crisis of the United Nations, and 110, Financial emergency of the United Nations. That will be followed by continuation of the debate on agenda items 37 and 102.

On Thursday, 5 December, in the morning, the Assembly will take up agenda item 15 (c), Election of a member of the International Court of Justice.

On Thursday, 5 December, in the afternoon, the Assembly will consider agenda item 29, The situation in Afghanistan and its implications for international peace and security; agenda item 31, The situation in Central America: threats to international peace and security and peace initiatives; and agenda item 34, Cooperation between the United Nations and the League of Arab States. It will also take up agenda item 40, Question of peace, stability and cooperation in South-East Asia.

I have been informed that the Fourth Committee, the First Committee, the Sixth Committee and the Special Political Committee have now concluded their work. Therefore, the Assembly will begin consideration of the reports of the Main Committees this week. On Friday, 6 December, the Assembly will take up the reports of the First Committee. On Monday, 9 December, the Assembly will consider the reports of the Sixth Committee and the Special Political Committee. I shall announce as soon as possible the schedule for consideration of the reports of the other Main Committees.

On Tuesday, 10 December, in the morning, the Assembly will take up agenda item 38, Question of equitable representation on and increase in the membership of the Security Council.

(The President)

On Thursday, 12 December, in the morning, the Assembly will consider agenda item 11, Report of the Security Council, and agenda item 36, Law of the sea.

On Monday, 16 December, in the morning, the Assembly will hold a commemorative meeting for the observance of the twenty-fifth anniversary of the adoption of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights.

The meeting rose at 12.30 p.m.